

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBBIE CARL ELLINGTON, Jr.,

Plaintiff,

v.

CITY OF SACRAMENTO, *et al.*,

Defendants,

Case No. 2:25-cv-0158-DC-JDP (PS)

ORDER

On May 14, 2025, defendants filed a motion to dismiss plaintiff's second amended complaint for failure to state a claim. ECF No. 15. To date, plaintiff has not responded to defendants' motion.

Under the court's local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 The court will give plaintiff the opportunity to explain why sanctions should not be  
2 imposed for failure to file an opposition or statement of non-opposition to defendant's motion.  
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and  
4 will result in a recommendation that this action be dismissed.

5 Accordingly, it is hereby ORDERED that:

6 1. The July 17, 2025 hearing on defendants' motion is continued to August 28, 2025, at  
7 10:00 a.m.

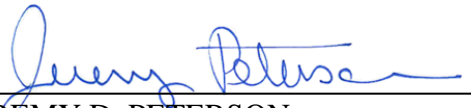
8 2. By no later than July 31, 2025, plaintiff shall file an opposition or statement of non-  
9 opposition to defendants' motion.

10 3. Plaintiff shall show cause, by no later than July 31, 2025, why sanctions should not be  
11 imposed for failure to timely file an opposition or statement of non-opposition to defendants'  
12 motion.

13 4. Defendants may file a reply to plaintiff's opposition, if any, no later than August 14,  
14 2025.

15 IT IS SO ORDERED.  
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17 Dated: July 8, 2025

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19 JEREMY D. PETERSON  
20 UNITED STATES MAGISTRATE JUDGE  
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